



## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 13 and 22

[Docket No. FWS-HQ-MB-2020-0023; FF09M32000-234-FXMB12320900000]

RIN 1018-BE70

#### Permits for Incidental Take of Eagles and Eagle Nests

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), are extending the public comment period on our September 30, 2022, proposed rule to consider revisions to regulations authorizing the issuance of permits for eagle incidental take and eagle nest take. We are extending the comment period for 30 days to offer interested persons an additional opportunity to comment on the proposed rule. Comments previously submitted need not be resubmitted and will be fully considered in preparation of the final rule.

**DATES:** *Comment submission:* The public comment period on the proposed rule that published on September 30, 2022, at 87 FR 59598 is extended. We will accept comments received or postmarked on or before December 29, 2022. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date, and comments submitted by U.S. mail must be postmarked by that date to ensure consideration.

**ADDRESSES:** *Document availability:* The proposed rule and supporting documents, including the draft environmental review, are available at <https://www.regulations.gov> under Docket No. FWS-HQ-MB-2020-0023.

*Written comments:* You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal:

<https://www.regulations.gov>. In the Search box, enter FWS-HQ-MB-2020-0023, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on “Comment.”

(2) *By hard copy*: Submit by U.S. mail to: Public Comments Processing, Attn: FWS-HQ-MB-2020-0023, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on <https://www.regulations.gov>. This generally means that we will post any personal information you provide us (see **Public Comments**, below, for more information).

**FOR FURTHER INFORMATION CONTACT:** Jerome Ford, Assistant Director—Migratory Birds Program, U.S. Fish and Wildlife Service, telephone: (703) 358–2606.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

## **SUPPLEMENTARY INFORMATION:**

### **Background**

On September 30, 2022, we published a proposed rule (87 FR 59598) to consider revisions to regulations authorizing the issuance of permits for eagle incidental take and eagle nest take under the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d). The purpose of these revisions is to increase the efficiency and effectiveness of permitting, facilitate and improve compliance, and increase the conservation benefit for

eagles. In addition to continuing to authorize specific permits, we propose the creation of general permits for certain activities under prescribed conditions. We propose a general permit option for qualifying wind-energy generation projects, power line infrastructure, activities that may disturb breeding bald eagles, and bald eagle nest take. We propose to remove the current third-party monitoring requirement from eagle incidental take permits. We also propose to update current permit fees and clarify definitions.

With this document, we are announcing an extension of the comment period for an additional 30 days (see **DATES**, above) to allow the public further opportunity to provide comments on the proposed rule.

### **Public Comments**

If you already submitted comments or information on the September 30, 2022 (87 FR 59598), proposed rule, please do not resubmit them. Any such comments are incorporated as part of the public record of the rulemaking proceeding, and we will fully consider them in the preparation of any final rule.

You may submit your comments and materials by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via <https://www.regulations.gov>, your entire submission—including your personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on <https://www.regulations.gov>.

### **Authority**

The authority for this action is the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d).

**Shannon A. Estenoz,**

*Assistant Secretary for Fish and Wildlife and Parks.*

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